

**Arizona Department of Environmental Quality
Yuma Public Hearing - 11/16/04
Arizona Clean Fuels Yuma, LLC
Air Quality Permit #1001205**

Richard Jarosik: Good Evening. I'm speaking here for my neighbor and very good friend. In fact he is my backyard neighbor. He has asbestosis. I guess that is the way you pronounce it, asbestosis, or what ever. Anyway he has a lot of pulmonary problems. He's spend a lot of time this past summer in hospitals from Washington to New Mexico, and now down here, he has a bad cold and he's ready to get pneumonia again. It says here, here wrote this and signed it. With his name and address, and I'm to turn it into you this evening. "I and my wife spend our winters at Arrowhead RV. I have asbestosis and pulmonary problems. I do not believe this refinery would do any area any justice. I worked a no discharge coal fired power plant for 18 years, and before that I was a sheet metal worker. All this has asbestos. There is no good to come of this at all. If you look east, and then you look west, the air is surrounding us, the air in Yuma, with pollutions, you can see it in the air. If this is so good, why did Maricopa County reject it? What about the future for the young people? More jobs and money aren't necessarily the answer when it comes to air and water quality. That would kill people." And he says thank you, at Arrowhead RV, Richard Kerschein. And I'd like to add just a little bit of this. I had nothing much to do with petroleum processing, but through my travels in my lifetime, through St. Clair, Wyoming and so forth, traveling back and forth about every year, and different power plants that you go through, through Texas and so forth, that smell of sulfur and whatever toxins are in the air are sickening, when you go through there on a wet soggy night, which I liked to drive when I was younger, especially when it was raining. But it is a sickening smell, let me tell you. And that's about all I have to say, I don't know much else about it. Thank you very much.

Patty Jarosik: Yes, I'm Patty Jarosik from Arrowhead RV Park and I have C.O.P.D., which I am sure you are familiar with. And I've had asthma since I've been 16 years old, which then I had to go about every night for shots so that I could breath. And then it turned into emphysema, with the combination, I have to use a nebulizer and oxygen 24 hours a day, 7 days a week. And me and my husband came down here for, we come down every six months to get away from the cold weather and snow we have in our home in Nebraska. The windy cold weather gives me more chances of pneumonia and I think the smell from the refinery would be very bad for my condition. I was in the hospital last year down here four times, three times by ambulance, and I really don't feel that I need any more extra added onto what I've already gotten. Thank you.

Dorothy Sawyer: I'm Dorothy Sawyer and I'm against the refinery, and I live full time in Wellton, and if you have driven past St. Clair, Wyoming, you realize what a smell we have and what it has done to them. I think what it will do to our environment, then it is too late when we have to put up with. It's going to affect us too, and then it will be too late.

Terri Adams: My concern is that this refinery may not need to be built because a supply line may not come. The two ideas were from Port Libertad, which in near Ramos, come up through the county, that is not going to happen. That's protected area. The other one said that there is a pipeline from Tiajuana, there's no port in Tiajuana, that doesn't make any sense. It's gonna have

to come from Ensanada or San Diego. Neither line is in place. It's gonna be a long time coming if Mexico builds it.

Also, ADEQ did not do a very good job on Mohave Generating Station. I know this for a fact. When they built the new generating station there in Vegas, in the early nineties, they took the bags out of Mohave Generating Station, and took them up there. And ADEQ let them get away with that.

Gail Beeler: I'm Gail Beeler, I live in Yuma Arizona. I have lived here 66 years. I have been on the city council for 5 years during that time, when we worked very hard for clean air industry in this area. So I am very opposed to this type of industry being put in Yuma County. I'm also concerned about the emissions that this type of industry would emit into our clean air. Also about the enforcement regulations and those people who are going to enforce this area. It concerns me and I certainly would appreciate it if you would not permit this to happen.

Patricia King: Hi, my name is Patricia King, I live at 28190 E. County 14th Street in Wellton. I've been a resident of Yuma County for over some 50 years, on and off since 1951, and have seen it grow from a small town to a big city. I lived on the west side of the Gila mountains for 20 years, on the Yuma Mesa where farming is a big part of the industry, so I'm used to some kind of air pollution, and I don't mean to say that we don't have it here in Yuma County. But the thought of putting an oil refinery in the Wellton Mohawk Valley is more that I can bear. I just moved to the Wellton area to get away from the congestion and get away from the air pollution that's in Yuma. And now I find that I've got to have that to deal with. I built my dream house on the desert bordering the Barry Goldwater Range, where it's peaceful and I can enjoy the clean air and the beautiful desert. I'm opposed to the oil refinery which is going to be within 15 miles of my new house. I would hate to think that I'd have to move again. But I truly believe that the air quality will be adversely affected by this refinery no matter what anybody says. I also believe that the presence of this refinery in the valley will have an overall adverse affect on the appeal of the area. Thank you.

JE Cunningham: My name is Cunningham, Jack Cunningham, and I am the president of Snyder Ranch Inc., Snyder Ranch is a 4000 acre entity at ground zero on this one, immediately adjacent to the proposed site on the north. Snyder Ranch consists of some 3000 acres of irrigated land, which has been in our family since May of 1940. We've operated it continuously as a farm as best we can, using the most advanced technology we can. We're very picky about with whom we share property out there, as far as what they want to grow. When we first heard of this latest brain storm, we frankly didn't know what to do. I thought it was incredulous. We in turn retained a firm in Phoenix, called W.L. Bouchard and Associates. And they provide environmental health and safety consulting services, primarily to clients in Southwestern US and Mexico. They've been doing since 1939. The people in there are all professional, licensed, trained engineers and scientists. Walter Bouchard has an MPH and CIH and is the company principle, and is well know to your agency. He's assisted by a couple of very capable air scientists. We asked him to examine the 1200 page permit, as it was sent. And we have sent one letter to your office on October the fourth, concerning the 4 pages of faults that he suggested should be looked at. We've had no response from anyone as to whether they even got the letter, so we are going to send another letter, which we are both sending and I will hand deliver within

the next few days, just in case it got lost in the mail.

We find faults with the permit. That's all we're going to talk about tonight is the permit. We're not going to get into the refinery, as I understand, somebody here says Charley (indistinguishable) talked to me about this and that I had no comment. That's not true. I did have a comment, Charley, when he asked if I thought the refinery would happen, I said well, it could. And he said, when do you think? And I said about 2 weeks after your elected Pope. My concern with this is, we have a farm as I say, that is 3000 irrigated acres, we have some 60 people living immediately on farm property, who have children. We have, we grow a lot of vegetables, we have workers in, and we're finding that as we go through Mr. Bouchard's reports and various aspects of this study, that we get these flippant, irreverent remarks, like there's no more pollution in this refinery than 35 diesel trucks. Diesel trucks my you know what. First of all, diesel trucks don't emit the same kind of emissions that a refinery does. And in going to the different aspects of some of the scopes of the tests, there's some real question as to what they're going to be testing for and how they're going to control different aspects. Now, I understand of the 48 identified HAPs, which is a hazardous air pollutant, air borne pollutant, they can successfully probably hold 36 of them, of the 48, in compliance. But there's twelve that they can't. They don't expect you to be able to hold them, and for some reason, some of the plans that were originally in the Mobile proposal, have fallen off of the back of the truck between Mobile and Tacna. And there have been some economic adjustments made to the air quality permit, that we think fails to take into consideration certain things, and I'll get into those as soon as I find them here. I have trouble finding all, there is so much paper going around on this. What we really worry about are the pollutants. And we understand we're looking at a total of 1000 tons a year being deposited on the 18 mile radius footprint of this proposed refinery. Well, we're talking air quality, we're not going to talk about just the refinery, but we find that if you take that and put it on a map of the Wellton Mohawk Irrigation District, it will basically cover 60% of all of the fertile land within the Wellton Mohawk growing basin. One of the things particularly bothers us is there has been no provision made in the testing that you people have done, or that you are mandating the proponents do, that looks at the bio-cumulative effect of these toxics. And now we're talking about silver, formaldehyde, selenium, mercury, cadmium, aluminum, lead, phenol, ammonia, and there's another one here, I'll find it in just a minute. And there going, all of these are toxic. These are called heavy metals. These were the crux of the famous Love Canal, Buffalo, New York's brush with history. And we're just concerned that because of these, we're heading down the same path and haven't learned a thing. Because nobody has taken the time to look at these studies and say, this is going to be falling on this land, within that footprint. What is the toxicity of it, if it just comes in contact with lettuce, or with workers, or with people sleeping in their rooms at night. That has not been addressed. And it should be. We've talked to the national Department of Ecology, and have 20 pages of tests that can be done, and we'll make them, more than happy to make them available if you don't have them. Because we just think that there's a very, very good chance that you're going to kill the growing ability of food for human consumption in the Wellton Mohawk Valley. And there is just absolutely no purpose for it. We know for instance Gerber will not buy squash from certain areas because of air borne pollutants falling on fields. And it's just not right to cavalierly, now we think the best you should do is defer issuing this permit. Do the studies. That's a reasonable request. And give us a chance to see if it's really going to work. One of the things that bothers me, and it does bother me, is when responsible people make stupid statements. One being, this is

the best refinery in the world, it is the most efficient. Nobody said a word about it's safe. It's not going to hurt anybody. Now prove to us that if somebody finally says it's safe, you done the studies to show that, sprinkle the lead and sprinkle the silver and sprinkle the selenium, and it's not going to hurt anybody. Take the time to do it. This has been a great valley and it's just criminal, absolutely criminal, to turn it upside-down. Why the Wellton Mohawk Board of Directors dreamed this one up, I don't understand. I see John Klingaburg snuck in the back. I'm going to grab him in a minute and ask, but, take the time to look, and I applaud you people for taking the time to come. I see the red lights on, I don't want the cane to grab me around the neck, so I'll disappear, but it's a serious issue, and it shouldn't be just cavalierly said it's not going to hurt anybody, how would you like it if the doctor told you tomorrow that your 15 year old daughter was just a little pregnant? That's what they're suggesting when they say it's just a little polluting. Take a good look. Thank you very much.

Michal Graber: My name is Michal Graber, and I live on Ave 55E and 3rd Street, on the San Cristobal Mesa. And I am 20 miles from this proposed site. I am for clean air. I own over 400 acres of pristine desert. We live here in the winter, to enjoy the clean air, the wonderful skies; we have traveled all across this country, through the industrial heartland of America. And it smells bad. Yuma County is where the winter visitors come for clean air. They buy homes; they're property owners, if the clean air changes, their property values would decline. And I'm opposed to this. I have friends who have worked on oil refineries. There's not going to be a lot of jobs. I don't know who Arizona Clean Fuels people are, but I feel that they're, this is my impression, that they're lawyers. Who are getting the permits done, and then once they got these permits done, they will sell this to someone else, because they have never built an oil refinery, they don't know what it's like. And I think it just bad for winter visitors. This is a great place to come in the winter, its wonderful. It's clean, it's pristine. You're going to spoil all that. If you've read in the Wall Street Journal about Japan, and about the benzene poisoning, people who live near refineries in Japan, it's not a good neighbor, and I just don't see how it would be a good thing for our county. That's all I have to say.

Patty Colburn: My husband and I own a business in Wellton, which is just down the road from the proposed refinery site. I also have asthma. In previous hearings about this permit I've asked that ADEQ consider their most sensitive and vulnerable citizens, the children of Yuma County. I've asked that ADEQ consider the justice of allowing this toxic refinery to be approved in an area that is heavily populated by the very poor and is a predominantly minority area. Tonight I would like to review these areas of concern with you, and also include another large part of our population, our snowbirds, we had some representatives here just a little bit ago, the elderly population who will be severely affected by this proposed refinery. In Governor Napolitano's speech, April 11, 2003, she announced the start of the children environmental health project, an initiative to reduce exposure of Arizona children to environmental health hazards. She stated it was a priority of her administration to provide a clean and healthy environment for all Arizona citizens, particularly the most sensitive and vulnerable ones, children. The Governor spoke at length about asthma, stating that it was unacceptable that the prevalence and mortality rates for asthma in Arizona have exceeded the national average in 9 out of the 10 last years. She directed the Arizona Department of Environment Quality to implement CARE, a strategy with initial focus on air quality and asthma. Department of Health Services Director Kathy Eden was a part of this children environmental health forum and reported in May

of 2003 the results of the assessment of environmental exposures that significantly affect the health of Arizona children. In that list there were 8 listed. The top of it was ambient air pollutants and asthma. Of course we know this refinery will be putting out a lot of ambient air pollutants. April 20, 2004 the Sun news reported the meeting with the supervisors that was held with Arizona Clean Fuels concerning the proposed refinery. One of the supervisors asked a question: "would the refinery emit any fumes that people in the area would have to worry about?" Mr. McGinnis answered "no, what you will see when you look at the facility is a white plume coming from the cooling tower, which is basically water, however because of the dry desert air here it won't be very big but will dissipate quickly." Reported in the Sun News, and also brought up by the gentleman from Snyder Farms, according to the presentation of materials the company's initial permit application 5 years ago, with Maricopa County showed the facility was projected to release 5000 tons of compounds into the air per year. Since then, revised requirements now show that their projected amount of compounds the facility will release will be over 1000 tons, 1000 tons into air per year. Plus, the same article states they will be expanding in 10 to 15 years. So not only will you have this at this point when it is built, 10 to 15 years on down the line you can plan on more. That is definitely more than a plume of water that will disappear quickly. Rightly so, it will disappear into our children's lungs, your lungs and my lungs. The most sensitive and vulnerable of our county, children, will suffer the consequences of the refinery. These children's lungs already have to deal with the present air quality that can be deadly; dust from the tilling of the ground, aerial pesticides, burning of fields, and emissions from the cattle company that is close by there as well. The special report title "The Battle to Breathe" appeared in the Arizona Republic on February 26, 2001. Because our valley is a huge agricultural area, there are many farm workers, families, that from generation to generation have worked the fields. These workers also pass on another family trait, they are all asthmatics. The field work, chilly damp mornings, pesticides, dust and the whorl of pollens makes their conditions worse. This is just one of hundreds of families struggling with Asthma in Yuma County, which has the State's highest rate of asthma hospitalizations for adults and children. Asthma grips nearly every part of this growing county. It keeps the night crew hopping at Yuma Regional Center with 5 to 7 cases per night. It puts a strain on school based clinics, where many of the children seek help. The agriculture has a lot to do with it. They do a lot of burning, exfoliation, spraying the fields, harvesting, which causes a lot more dust. Southeast Phoenix sees similar scenes played out. Residents in one Phoenix area fret about the freeway exhaust while residents in Yuma County worry about pesticides. One thing that they both have in common in these areas is poverty. Now I would like to redirect your attention to the folks who are good enough to come into this hearing tonight and speak before me. They all have respiratory problems, which requires them to be on oxygen, pretty much around the clock. There is a continuous struggle to get air they desperately need. These people are residents of our business, which is an RV park in Wellton, just one of 10 parks in town. Wellton's population, like Yuma's, is tripled during the winter season, due to influx of these snowbirds looking for clean air and beautiful vistas. There is a large percentage of these elderly that have health problems. If this refinery is allowed to pollute our air, the snowbird population will dwindle in our valley, and all those that have decided to take up residence here permanent will also dwindle. It is time for ADEQ and the supervisors here in Yuma County, to step back from the dollar signs and consider our most sensitive and vulnerable citizens, our children, the poor, and the elderly. Please say no to this refinery.

Steven D. Colborn: Hi Trevor, glad to see you again. Third time around. Well I guess you weren't there at the last one were you. Good evening, my name is Steve Colborn, my wife and I own a business in Wellton, and I have to say, I must ask the Department of Air Quality Division to deny this permit, for the health of our children, grandchildren, our seniors, and ourselves. As well as for the safety reason. Explosions, air pollutions, water usage, 1.5 million gallons a day, ground water pollutants. Have you ever thought about where the water is going to be going after they get done using it? Back into the ground, possibly. Soil pollutants. Plus the fact that other plants will also have to be built for this refinery, putting even more pollutants into the air, ground and water. What about the increase pollutants from the diesel trucks operating 24 hours a day, 7 days a week in the Tacna and Wellton areas? Also the increase in train engines, stack emissions from the refinery, also traffic accidents could be increased because of all of the extra trucking. The people of Wellton already have to put up with the smell of the feed lot out there and let me tell you that cattle do put out a lot of good ammonia smells, and also put a lot nitrates into the ground and the water. Plus the burning of the fields, orchards, with use of diesel fuel. We also deal with the dust from plowing, the aerial spraying, as well as the track hoe spraying. We do not need this refinery to cause more problems with our health and safety. First of all, I would like to say that my wife and I have been to most of these meetings concerning the Arizona Clean Fuels. It has been an uphill battle because we the people don't have the clout that the big business does when it comes to meeting with the board of supervisors or taking them out to lunch or even dinner. Most of us have tried to meet with these people and explain why we are against this refinery, but have been told that they don't have the time, or if they do have the time, they simply say, well, we were told that this would be the cleanest refinery ever built. RS Casey Prochaska told us at the meeting, she stopped by a refinery in California, got out of her car and couldn't smell anything. I was very impressed with that statement and how much time she spent there during the daytime hours. Mr. McGinnis, when asked the first time if he would lower the fuel prices in Yuma, and if Yuma would be getting any of this fuel, his remark was "no the fuel would be trucked or piped to Maricopa and California". Then at the last question and answer meeting in Yuma, he was asked the same question and said that "if Yuma wanted to buy the gas, they would sell them, because they were in business to sell gas". Very interesting. Same question, two different answers. I have done some research, but not as much as I would like, because it is very hard to operate a business and try to make it to every meeting and do all the research needed to stop a big business with a lot of money and promises. I would like anyone here that has a computer to go on the Web site and read about the oil refinery violations in the United States. You'd be amazed. For example, let me give you a few of the facts. The EPA has found air emission violations at up to half of the oil refineries in the United States. Between 40% and 50% of the nations roughly 160 oil refineries are violating the Clean Air Act according to our own government. One example is the Carson Refinery. The Southland Air Quality Agency filed a civil suit about the week of March 13, 2003, for air pollution violations over an eight year period. This was a \$300,000,000 fine, the largest penalty ever sought by Southwest Coast Air Quality Management District. The 109 page complaint specifies three main categories of air pollution violations at the oil refinery between 1994 and 2002: submittal of false inspection reports and failure to maintain an inspection and maintenance program resulting in excess emissions. This was the same kind of reporting practices that the Arizona EPA told us that would be, the Arizona Clean Fuels would be doing. They would keep their own records. So how honest do you think these people would be at the refinery? Failure to sample pollutant gasses in the refinery flares, as required by AQMDs. The two incidents that resulted in strong

odors, a public nuisance and the evacuation of nearby schools. 1994, AQMD required self inspections of all companies with above ground storage tanks for volatile liquids, such as gasoline, crude oil, and jet fuel, same things that this refinery is talking about producing. In mid-1990, oil companies eliminated their in-house inspectors and hired outside contractors to perform the inspections. In June of 2002, AQMD had outside contractors to perform the inspection. In June of 2002, AQMD had to obtain an inspection warrant from superior court, and execute the inspection on June 24, with the assistance of the Los Angeles County Sheriffs. The violations occur every day, from September 14, 1999, the day the self inspection requirement took effect, until June 20, 2002, when AQMD notified the refinery of the inspection. On December 6, 2001, and January 25, 2002, strong odors from the refinery caused a public nuisance, and severely affected students at nearby schools. – **End of side of tape - - end of 5 minutes for Mr. Colborn**

Erin Horner: Good evening, my name is Erin Horner and I do live in Yuma County. I moved to Yuma County four years ago from Kansas City where I lived most of my life. Like most people who move to this great state I looked forward to the beautiful weather and some of the cleanest air that is advertised and, is at the moment, and it's in Yuma County. Arizona Clean Fuels is proposing to end that good quality of air. I oppose this refinery based on many, many hours of research, first hand knowledge and concern for my own personal health and the health of the people in the community. I am an asthmatic and a cancer survivor and I would like to stay a cancer survivor. Oil refineries emit the largest amount of pollutants of any other source. In many cases communities with refineries are dubbed as cancer alleys. Just north of Kansas City in an area known as Sugar Creek, the refinery there was responsible for a number 200 times the national average for brain tumors in residents in that area. That's 200 times higher. Refineries emit a substance called benzene, a known carcinogen. According to Arizona Clean Burning Gasoline, or CBG, benzene is associated with leukemia and causes a variety of cancers. High doses of this toxin cause intoxication, respiratory problems and also circulatory collapse. It also serves as a central nervous system depressant. Refineries emit large quantities of sulfur as well. They contribute to sore throat, breathing difficulties, respiratory tract infections, acid rain, and dirty looking air. Unfortunately the mention of benzene and sulfur emissions only scratches the surface of the numerous pollutants put out by refineries. According to ACF's website and I quote "refineries do produce emissions and ours will not be an exception". ADEQ Director Steve Owens told the Arizona Daily Star, "a refinery is a refinery, and it will emit various volatile compounds like benzene and sulfur dioxide". I'm very glad that they are so "eeeeaaa" about our area. ACF Chief Executive Officer Glenn McGinnis wants Yumans to give ACF a chance to prove his refinery will be clean. Excuse me, Mr. McGinnis, by your company's own admission, you are going to fill our valley with harmful pollutants. You cannot change the fact that your proposed refinery will emit 1000 tons of toxins and carcinogens a year and that number could be higher. And if any of you were listening to this man here earlier this evening, and I was doing my math, it sure seemed a lot higher to me. And also, ADEQ states the number at 1000 tons per year, but who's going to enforce that? It is currently estimated that 50 % of existing refineries are not complying with state and federal mandates to clean up the pollution at their facilities. EPA authorities are stretched so thin that it is common for a refinery to be inspected only every 4 to 5 years. Then if the EPA does site the facility for pollution violations and safety hazards which it inevitably does, the refinery pulls out its band of attorney and fights the situation for years and years. In the mean time more toxins are released into the air and water to contaminate and kill. To put it into context, it's like our illegal alien situation. There are numerous laws in

place to prohibit illegal immigration, however, who can stop these people from doing so? The government has tied the hands of the border patrol, so all they can do is attempt to catch the people, they send them home so they can get some good rest that night, and then they try the next night. If they are caught again, they are only sent home, and the cycle just continues. It's the same with refineries. There is nobody that they're accountable to, that's a fact. In two recent conversations with a member from the county board of supervisors, I learned that at least two of the members actually believe that the facility will be clean and safe. There is no such thing as a clean, safe refinery. However, in speaking with this person, the only research they had done is go to a refinery in Utah, sit outside for 30 minutes, and decide everything was ok, since this individual didn't smell anything foul. Apparently the other supervisor in question went to a facility in California and did the same. Ladies and gentleman, 30 minutes parked outside of a refinery is hardly completion of much needed homework on this proposition. Are most of you aware that the EPA allows refineries to work on an honor system to report their data? Not surprisingly, data produced from the refineries, seldom matches data collected by outside agencies and green groups. The EPA literally hands them a grade card, and they fill in their own grades. In June 2004, the EPA's own Inspector General, which is the Agency's independent auditing arm, I want you to think about that, that's their own attorney general, wrote a scathing report that ripped the federal regulators for making virtually no effort to ensure that refineries are complying with consent decree mandates. In short, the EPA isn't doing its job, and the honor system is at best a sham. Am I out of time? I'll be back.

Tim Horner: Hi. Good evening. I will try to get this all in the five minutes, I may be filling out a slip as well, to extend. Again my name is Tim Horner, and I'm sure glad to see all the people out here today. My wife and I moved here four years ago from Kansas City. She had made reference to the refinery in the Kansas City area in Sugar Creek, I'm going to make reference to the same refinery. We have first hand experience regarding that refinery and the ramifications, the affects it as on the people there. But first of all, I want to read a statement here. You can get this off of any internet site, it's the ADEQ internet site. It says welcome to the ADEQ Air Quality Division. The mission of the Air Quality Division is to protect and enhance public health and the environment by controlling present and future sources of air pollution. Present and future sources of air pollution. The division ensures the safety and quality of the air in Arizona by monitoring and analyzing air quality data, regulating sources of air pollution, and working with other state, local, and federal agencies to plan and implement strategies to protect Arizona's future air quality. Let's see how well we're doing here, with a report card. First of all, the refinery in question, well, a report that says in the valley's freeways the air can get so bad in corridors that traveling on them for 30 minutes is as bad as a full day of breathing anywhere else. This is 30 minutes in a corridor in the valley already. And the refinery is going to be lower than 1 mile of the Phoenix freeway. Gee, let's have one mile of the Phoenix freeway being emitted and exposing us 24 hours a day, when 30 minutes is greater than anywhere else in the United States. Great, that's protecting our air quality and safety, sounds great to me. And I agree with the other people, what they said, yeah, they throw out these statements, equal to 35 diesel trucks. You have nitrous oxides, you have volatile organic compounds, you have particulate matter, you have benzene, let's just put them on our plate of peas and sausage and eat them for supper, sounds like to me. Wonderful dinner.

Love Canal was mentioned earlier. Times Beach, Missouri, is another one. Contaminates. They had to clear out an entire town. By the time anybody is able to do anything about it, because of the slap suits that the big petroleum industries, or any chemical industries can provide the court, and those are the strategic lawsuits, laws, against public participation. It just makes things so difficult, that it takes years and years and years and years. Times Beach occurred in the mid-80s, they still haven't got that rectified, that's been over 20 years ago.

We've got a beautiful landscape here. We got historical sites that we're dealing with, the particular place in Sugar Creek, Missouri, with the Amoco refinery, completely covered up the historical site, people weren't able to get there unless they wanted to be arrested by breaking the laws and entering into that. And it's a site that, I think maybe some of you have heard of Lewis and Clark. Little bit of significance to our historical values of this land. These are things that we are going to lose. We have a beautiful scenery, beautiful landscape. I have some pictures that I am going to be passing out as you all leave today, it's a beautiful view that you could look from your kitchen, of an oil refinery instead of the mountainside.

Now, some of the things, and my wife had mentioned, the diseases that it causes. There's an environmentalist that spoke of some of the things regarding Sugar Creek, Missouri. And she says "speaking as an environmental activist and consultant, your story on Sugar Creek presented a fair description of the way things are there. City fathers still clinging to the hope that some economic boom will hit, if people would just keep their mouth shut about the pollution, instead of pushing for British Petroleum to clean up the town. In Casper Wyoming, another one of BP's refineries, which after over 20 years, and many, many lawsuits, they finally were forced to spend a million and a half dollars to clean up that area, but it took a lot of time, and as you can see, over those 20 years all the revenue, all the money was being made by the refineries, the pollutants in the air, the water, and the soil. But in Casper Wyoming, another one of BP's refineries, where many of the Sugar Creek refinery workers transferred to, there are more health studies and more aggressive cleanup. One thing is for sure, wherever the refineries went, pollution followed. Maybe someone will take a polluting (indistinguishable) crime, then they won't drag their feet to make things right for the little towns they use to fill their chests of gold. One thing seems to be consistent, whether supported by EPA or not, pollution follows refineries. One may convince themselves that the given data," let me uh, just kinda lost my place there, ah, my times up, but I've gotta finish this quote, "one may convince themselves it is insignificant, the agencies may be bought up, but the fact is pollution is prevalent." I'm gonna fill out another sheet because there is something else, and its some dollar signs and some very important facts that I need you to weigh. And everyone of you, it's just important that your conscience can make a very significant assessment of this. Thank you.

Cary Meister: My name is Cary Meister, and I'm speaking tonight on behalf of the Yuma Audubon Society, for its members, I am the conservation chairman. Yuma Audubon will be submitting detailed written comments, because obviously tonight is not the forum in which detail is entertained. There's not really enough time to address the many issues in 1000, nearly 1000 pages of document right now. But I would like to bring up some of the highlights of these.

Under the current conditions that the permit proposes, I really don't see anyway that the permit should be issued. There needs to be a lot more work done on it, and I hope that the public will

have an opportunity, as much as we have had so far, to comment on it, rather than just taking our comments, making some changes, and then the permit is issued, and then you have to go to appeal. I hope that we will continue to have a chance to comment on this.

One of my biggest concerns is the hazardous air pollutants, the HAPs. The permit states, the proposed permit states, that there could be potential emission rates of hazardous air pollutants in excess of 25 tons per year. If you convert this to pounds, this is over 50,000 pounds a year of substances falling, how far from this refinery, accumulating over time. Some of these are heavy metals: lead, cadmium, mercury, this just does not seem like a good idea. And they're not really being monitored. Nor is hydrogen sulfide being monitored, and that's one of the most obnoxious things about refineries. Not necessarily, well, it's one of the dangerous one, but not the only dangerous one, but it's one that people definitely smell, the rotten egg gas.

There's a diagram, and it says simplified diagram, and I really wish that a more complex diagram had been included, because as I tried to follow this process, I had a great deal of difficulty figuring out where this stuff was going and what was happening to it. And I hope that their process will be elucidated for laypeople in perhaps more detail, at a level that we can understand, because this is a complex issue. I do want to make an effort to really understand this process, so that my comments can be as informed as possible.

Benzene reduction unit, we need more detail here, this is on page 10 of the permit. Where does the benzene go? Does it go into the C8? That's not clear.

The ash from the wet air oxidation unit and sludge from the warm lime softener are routed to a belt press for dewatering prior to landfill disposal. What's in this stuff, where is the landfill that this is going to? We need to know that. I'm sure the people who live near that landfill would like to know that.

Another quote from page 18 of the permit: the proposed refinery includes piping and a large number of screwed and flanged connectors, valves, pumps, compressors and similar components...these components are potential sources of volatile organic compounds, hazardous air pollutants, HAPs, and H₂ emissions due to leakage. This is not reassuring. Nor is another statement in the, I believe this is in the technical document, about fugitive emissions of VOC, organic HAPs, and H₂S, will occur due to leaking piping components and other equipment. This is not reassuring.

If this refinery is going to be built, a great deal more attention needs to be given to establishing baseline levels of substances and to monitoring. And one of the things that concerns me is how the operator of the refinery is responsible for self-reporting the levels of substances. The electric company doesn't trust you to read your own meter and send in the number of kilowatt hours that you've used, so there should be tamper proof equipment installed for monitoring, and this should be read by ADEQ, and not by the operator of the refinery. We need to insure the security of this information, because in the past, we've had many problems with refineries incorrectly reporting what they've been emitting, and there have been government lawsuits over just this factor. So that definitely needs to be addressed, as well as the health status of the people living in the area of the refinery. ADEQ needs to work with Department of Health Services to establish these

baseline levels of substances and to monitor the population if this permit is going to be issued, and at the first sign of any deterioration of health, you need to step it. Are you willing to do that? Which leads to the next question. In order to write this permit, ADEQ had to go out of state. There wasn't expertise in this state, because there are few people in this state who've dealt with refineries. Who's going to be involved in supervising this refinery? What are the qualifications of this person? We don't really know this, and we need to know whether someone qualified to do this is going to be in that position. Is a new position going to be developed that will be involved with this? Is someone existing going to get some sort of training? Gasoline refineries are very complex, and have lots of substances that can be very hazardous.

I'd also like to just briefly mention the concern about studying affects of refineries on farmlands, because farms, agriculture, is the big industry in this area. With these cumulative substances, with possible affects on the microclimate of fields adjacent to the refinery, with the lack of adequate monitoring, really since agriculture is such an important industry in this area, it needs to be protected through this monitoring. So as I say, I don't believe at this time, that given the existing permit and technical study, that a permit should be issued. Thank you.

Al Krieger: Thank you. I'll address you rather than the crowd tonight. There's a couple of issues that haven't been touched, and I think it's well worth considering. We're already suffering from outsourcing of jobs in America, and we will continue to suffer from them. A large portion of our food comes from South America and Mexico. And I urge you to use sound science when you consider issuing this permit. Be upfront, be honest, and use good science. If it's not going to be safe, then do what you think is right in your own mind. But if it's going to be safe, then go ahead and issue the permit. Right now we are so dependent on foreign oil and foreign food, and interesting enough, now we're having foreign values imposed upon the American people, and if this refinery isn't built, it's just going to be one more notch in the armor of the strength of America. And we won't have to worry about snowbirds coming down, we won't have to worry about tractors farming, we won't have to worry about any of that stuff because we will be stopped. Transportation, we won't have to worry about translating in Spanish, it'll be some other language. So health issues, farming issues, all of these things have to be looked at in a broader sense, I believe. A lot of people have talked about the future, and what the affects are going to be. Well there isn't going to be much of a future here in America. A lot of these refineries that they're talking about, and the hazardous waste that they've been issuing, no one has said when they'd been built and the type of science that they had used to build them. The technology, we've had 30 years of increased technology. We regularly go into outer space. Even private companies are doing that now. So we have the technology to do things right, and do things in a safe manner. And I urge you to use that, and hold this refinery to those high standards that we would expect.

Everybody drove here tonight, I'm speculating. And everybody's going to drive home. And I want to keep driving. I want to be able to afford to drive. And I want the trucks to keep rolling, and I want our economy to keep rolling. And I want America to be strong and stay strong. Thank you.

Ken Rosevear: Good evening. My name is Ken Rosevear. I'm the Executive Director of the Yuma County Chamber of Commerce, representing about 800 businesses throughout Yuma

County. I've had the opportunity to read the fact sheet on the draft permit, and the draft executive summary and the reports to the, the Attorney General's report, the Environmental Quality report from you folks, and I've also tried to do some homework on the internet and so forth. I'm surprised by the fact that we keep making references to different situations around the county where there were negative effects of a plant, of a fuel plant, but none of these are comparable to a plant that uses today's technology. I would consider it tantamount to taking a reading out of an exhaust pipe of a 1960 Buick versus a 2004 Buick. And comparing the results of the technology and where we've come from then, and I think that same issue could be carried forward with this plant. I'm surprised by some of the negative attacks on agriculture in this community. Did people forget that agriculture is what made Yuma County and continues to make Yuma County? And I'm surprised by some of those comments, based on the fact that this is probably one of the most regulated industries in this county, is agriculture. And as I said, that is what made this county what it is.

I would echo the words of Mr. Krieger, saying that I think that you folks should do you due diligence in making certain that the product that is produced in this plant meets all the regulations, and I think by reading the report, the basis for that is there. I have no negative feeling that this won't be carried through. Having owned a couple businesses myself in California, if anything I felt that I was over regulated, and I had many, many visits from regulatory agents on a monthly basis to monitor. I have no reason to believe that there won't be people onsite doing inspections in this plant. I would consider that highly unlikely that everything would be done on the honor system as far as regulatory compliance. The other issue is some of these arguments are the same arguments we heard when they built the Palo Verde Nuclear Plant. It was gonna do this, it was gonna do that, it turned out to be one of the most efficient energy sources in the world. And one of the largest plants in the world, and almost without incident. I would advise you to use due diligence in presenting this permit, and make us feel safe that you've done that work in a way that's positive for this community. Thank you.

R. Martin Bailey: Thank you for the opportunity to speak before you. I'm not much of a public speaker, so forgive me if I stumble a little bit. I'm here representing my 81 year old father, who is a second generation Yuman. I gather from the lack of any bicycles out front, we all drove here. So, I think we all need the refinery for a variety of purposes. I discussed this with my father, you know, is this a good thing, is this something that we really need? And he said, well Martin, the best day of my life was in 1937 when I got on a gas fired tractor, and I didn't have to get behind that mule anymore. So with that, I would ask that you only do, do the right thing. Do what's in the best interest of the citizens of Arizona. Thank you.

Deborah Leal: My name is Deborah Leal. I came in on the tail end of this reading an email, so I'm not really prepared in anyway. But I am really concerned with air quality. I've been born and raised here in Yuma all my life, and our close-knit family want to remain living here in Yuma. I have a daughter, and I have a niece who has asthma. My father has asthma, lots of health issues there, and this would definitely complicate his life, and also my niece who happens to be eight years old. Big companies, big business, big money, they make a lot of promises, and I don't have a lot of confidence that this oil refinery, especially with a name like Clean Fuels, is really contradictory to the truth. It's just like, you know, you're gonna pollute the air, how can that be in any sense of the word clean air. I'm really concerned, and I'm speaking on behalf of

myself and my family, and other folks who don't want this. It's not gonna, I don't care how much money you're gonna give me, it's not gonna give me the life that I want if I'm dying in the hospital. So I'm against it. Thank you.

Rod Black: Rod Black, Yuma resident, and I object to the refinery. Many people already have referred to the problems of, people here with respiratory problems and that the refinery would add to that situation, giving a negative impact on this haven for those that have difficulty breathing. Now, I haven't gone through the CD-rom and all the pages, so I'm speaking somewhat from ignorance I guess, but I haven't seen anything in the handouts or anything where the load, pollution load that would be added by supportive and auxiliary and transportation factors that would be resulted from this refinery. In other words, the refinery is going to be there be its not in isolation. There's going to be supportive industries, there's going to be trains in and out, there's going to be vehicles in and out, transporting products in and out and so on. That would add to the pollution load from this refinery. This is a special concern, I think, on some of the things that are kind of borderline, like the benzene and some of the other things that approach the 100% of the accepted standard per year. I don't find any evidence of that discussed in the application.

I also understand that this refinery left Mobile because of the problems with Maricopa County's ozone limitations. But I don't see anything in here about ozone production of the plant or anything like that. They mention it, but I don't see anything where it talks about the ozone being produced. I think that might be addressed.

I'd hoped that I could get the answer to a couple questions. The corporation is called Arizona Clean Fuels Yuma. And there was a discussion at a previous meeting that implied that the gasoline that's produced by this plant would be so much cleaner that vehicles using this gasoline would actually clean the air. I was kind of confused by that, and I was wondering how much cleaner the product would be than normal gasoline from California.

Finally, I just roughed this out, I don't know how correct it is or anything, but the plant is going to produce 150,000 barrels a day of gasoline. If, that works out to be 42 gallons a barrel, figuring a buck a barrel, that comes out to be \$22 billion a year revenue. How is anyone going to shut down a plant that has a revenue of \$22 billion a year? Finally, 1000 tons is 2 million pounds. That's too much. Thank you.

William Murphree: Good evening. My name is William Murphree. I serve as the executive director of the Phoenix Building Construction Trades Council. I am not from Yuma County and I'm not from Yuma. But don't let that scare you. I represent the folks that work in the building trades all across the state of Arizona, some 20,000 union members. We support this air quality permit in its current form for a number of reasons. Number one is, make no mistake, we want to build the plant. We want the jobs. Secondly we want to train the next generation of workers. If you look in this room tonight, I don't see any young folks. Where are the young folks graduating from high school in Yuma Arizona gonna go to work. Hopefully they will help the gentleman with his farm. I came off a farm in the state of Mississippi, many, many years ago. As I drove into your valley tonight, I certainly appreciate and was privileged to look at your beautiful valley. I did however drive by the feed lots that the gentleman spoke about, but we won't go into

that. I'm a little offended about some of the comments about our Maricopa County and the Valley of the Sun. A lot of us do a lot of hard work there to try to keep it as clean as we can. I have seen the permit, I have studied it. I am not a scientist, I'm a hardhat guy. I have spent my whole entire life in the construction industry. Reference was made earlier to Palo Verde Nuclear Power Plant. We like to take credit for part of that because we built it. We have another major project going in the state of Arizona in a very, very rural community, even more rural than Yuma, Arizona, if you can believe that. And it's in Springerville, Arizona, where we're building an electrical generating station.

A lot of folks here tonight have talked about air quality and so on and so forth. I will simply let the record reflect that I have faith that the Arizona Department of Environmental Quality will in fact do their job, and do it well. Do they need to be pushed? I can only tell you that on my job I have to be pushed. If you let me get away with some stuff, I'll probably slack off once in a while. I have faith in our officials, and I can tell you this, the building trades have been to that office on numerous occasions. We have met with Arizona Clean Fuels. When they didn't want to meet with us, we went to their office. So if in fact you want to meet with the Arizona Clean Fuels, the opportunity is there.

Now the gentleman that talked about, I don't remember his remark, but he was talking about, something about statements. And how he did not like stupid statements, I believe he called them. I have attended every one of these meetings, and proud to do so. If the permit is issued, we will work with Arizona Clean Fuels to build the plant, train the workers, make sure that Arizona Clean Fuels trains the workers that are going to be working in that plant. But let me tell you this. In Phoenix, Arizona, my wife and I have three children and we have five grandchildren, ranging from the ages of nine to 18 months. If in fact this plant was built with this technology today, I would not hesitate to move either one of my grandbabies, now my wife would tell you that they're hers, but I'll tell you that they're mine, next door to that plant. Because I have seen this technology, I know this technology, and I want to thank the young man who spoke about keeping these jobs in America, the outsourcing and all of that stuff. We have to have a future in this country, and we're not going to do it if we don't take some risk. It's time that we stepped up to the plate; we haven't built a new refinery in this country in 30 years. A whole generation of folks have grown up, the technology has changed, the only thing, I was sitting in the back tonight trying to figure out what I could compare this too that folks could understand. And in my experience, the only thing I could think of is Cape Canaveral, Florida. If you remember the old Gemini space program, and as we moved in to Apollo, and all the concerns that went on there across those neighborhoods when Cape Canaveral was being built. I don't know if that compares to a refinery, I simply know that if we use the technology, this country has the ability to send a man to the moon and bring him back, we should have the ability to refine oil without ruining our air. I believe this is a step in the right direction, and the Phoenix Building Construction Trades Council supports this permit. Thank you for your time.

Mary Yarnell: Good evening. I thought I didn't have anything to say until I sat here and I listened to all of this, and then I feel that I have a lot to say. I'm really not going to talk for very long. I've heard a lot of "ifs". If, If, If they will follow through, if they will make sure that the things are done right in the plant, and that their tests or the emissions things are up to where they're supposed to be. I recently read a statement that says the EPA has no way to protect the

problems of 40-50% of the nation's 160 oil refineries are violating the Clean Air Act. They have no pull. They're not doing anything about it. This if, the refineries, this isn't going to be the first one, there are many where people are dying around them. You say that it is going to be 20% cleaner than the other ones. 20% is awfully little. And which plant are you comparing that too, what are you comparing that too? It doesn't seem to me that 20% is going to be enough. It really looks like we're gonna, you're going to use a few to accomplish for others. My sister is a larengectomy, and I've been wanting to come to Yuma for a long time, I enjoy the beautiful skies.

A minute ago I said something, sacrificing is what I meant. Sacrificing a few. Maybe the pollutants won't get clear into Yuma, but its sure going to do a lot of wreckage out there. As I started to say a few minutes ago. My sister is a larengectomy. I've wanted to come live in Yuma for a long time, and I just haven't been able to. And now I'm presented with a time where I may be able to do that, and I'm planning on doing that. I was planning on moving to Wellton. I don't know now, it's awfully scary. One of my concerns, the many, and just one that I had written down, just went through this paper and wrote down a few things. One of the things was the transporting of the materials into the refinery. I've seen what some of these spills and things can do, and that's terrible. Not to mention what it's gonna do, what the overall affect is going to be. I don't understand how your conscience would allow you to even consider this pollution refinery. I'm also real concerned about the fact that is indeed the EPA not going to have any influence on this. And if the EPA isn't going to have any influence on it, then how on earth could you come in and check on the testing to make sure that the levels are right, that the things are right. I don't understand that, and I ask you to please deny.

Susana Henry: Good evening, I'm Susana Henry. I've lived in Yuma for the last 16 years. And one of the things that concerns me about the proposed oil refinery is just where the oil is gonna come from and how it's gonna get there. One of the things that I'd heard was that it might be a brand new pipeline across the Barry Goldwater Range, which is a beautiful desert area, and really doesn't deserve a big oil pipeline across it.

I'm also concerned, also as others have mentioned about the tons of pollutants being produced, even if this would be the newest and best technology in terms of the construction of an oil refinery. Why are we, and its Yuma County residents, facing having to have a new oil refinery?

One of the things that I'd, I hadn't heard about the ozone situation in Mobil, but I had heard that the area around Mobil had already been the site of a brand new landfill and been the site of new prisons, and they didn't feel that they deserved yet another, I guess, non-desirable sort of situation there, so instead it would be passed on to Yuma County, and I disagree with that. So I hope you all take your time, really take a close look at this permit, I hope you deny it.

Steven D. Coburn: Well, to continue where I left off, I was talking about the Air Quality Management District in Los Angeles area. That in 1994 the Air Quality Management District required self inspections by all companies with above ground storage tanks for volatile liquids, such as gasoline, crude oil, and jet fuel. In mid 1990, oil companies eliminated their in-house inspectors and hired outside contractors to perform the inspections. In June of 2002, AQMD obtained an inspection warrant, from the Superior Court, executed the inspection on June 24th

with the assistance of the Los Angeles County Sheriff. The violation occurred everyday from September 4, 1999, the day the self inspection requirement took effect, until June 20, 2002, when AQMD notified the refinery of the inspection. On December 6, 2001, and January 25, 2002, strong odors from the refinery caused a public nuisance, and severely affected students at nearby schools and housing in the surrounding areas. If something would happen that ACF, Arizona Clean Fuels, could hide or not report, do you think they would tell the EPA if something went wrong. No, especially if they could get away with it, without being fined or closed down. I have to tell you, that we have a swimming pool. And we have to meet the requirements of the ADEQ, the Yuma Health or County Health Department, and they come out and do annual inspections. They wouldn't hesitate a second if our chlorine wasn't right or our chemicals weren't right in the pool. They'd shut us down in a minute. They won't do that with an oil refinery. I have personally dealt with ADEQ and the Air Quality Division, and have found that in most cases that I brought attention to something, it hasn't been corrected. In fact, they haven't fined, they haven't done anything with the situation, except for noted it. In fact, one time they did come out because I requested them to come out because of the health of my wife who has asthma. And after they arrived, we went out and we did a search with that person, and she went back and made a report, and also gave me a phone call and told me who to contact anytime this went on.

I have another concern. Nancy, who is the Director of the Air Quality Division, spoke with my wife and me when we were in Phoenix for the other meeting of this, on this refinery, and informed us that the person hired to do the training and testing for the permit, as well as inspections of the refinery, has quit. And they are now without training and have no idea what or who will replace him, or when they will find a replacement. But be assured Mr. McGinnis and his staff have probably already found someone that could do the job for them.

I also have information about the cost of living, quality of life, tell me about my neighbors, sun and warmth. This report is for the Wellton area, Tacna area, and then it also shows the national average for the US. Let me read this to you, and if you would like a copy, I'd be more than happy to give one to you. It says "The cost of living in Wellton, Arizona," and if you want a copy of this, I got little happy faces on there and it's got sad faces where it tells you about all the economy and all the sales, value of property and everything like that. I'm not gonna go through all this, what I'm gonna do is talk about health care, it says less than national average, transportation less than the national average, miscellaneous less than the national average, although our monthly electric charges are higher than the average. Median value of houses is lower, rent lower, it also talks about the pollution and the ozone, Wellton is 60%, Tacna is 60, the US is 82, and if we allow this refinery, we going to be up like the rest of the county's. So if you'd like a copy of that, I'll be more than happy to give that to you.

Also, my final statement is, this refinery would only hire approximately 300 people after it is completed. Sure during the building stages there will be an influx of people from other areas to do the construction of it, but afterward it's only gonna be 300 people. That's not worth the dangers of all this plant, what all this plant can do and cause, not only to the Wellton area. I have to also tell you that Wellton area is what they call Dome Valley. It's surrounded by mountains, so where is all the pollution gonna go? It's gonna stay right there in that area and luckily, if we get a wind it may blow over to Yuma, or blow to Phoenix and Mesa and those surrounding areas as well. Is the state and ADEQ ready for all the problems, both health and safety wise? I would

have to say no. They weren't ready when just the pipeline broke down by Tucson, and it wasn't even a refinery, it was just a pipeline. And that's all I have to, thank you.

Patty Colborn: If the proposed oil refinery is built near Tacna, it will pollute our air with over the 1000 tons of pollutants that we've talked about: nitrous oxides, sulfur dioxide, volatile organic compounds, carbon monoxide, particulates and more. The economic downside will be felt. USA News and World Report said that Yuma is the number one retirement community. All of the good clean growth that is happening to Yuma right now will be changed. The desirability to live in Yuma County will diminish, when it is turned into a 2000+ acre industrial complex. We just heard that from a lady that mentioned she probably won't be considering Wellton as an area to move to. Tourism is a huge part of Yuma County's economic strength. Would you make plans to spend your winters next door to a filthy refinery? The refinery will draw other industries, and I don't think we've talked a whole lot about that, but the refinery has byproducts from the sludge that it produces. Plastics factories, asphalt plants, all sorts of supportive industry will be moving in to share in that smog and contaminants that they will be putting into the air, and I would like to have ADEQ consider that as they look at that as well, along with all the others that are going to be a part of that polluting.

The refinery will, the fabric of our community will unravel as Yuma is transformed from a lush agricultural valley into a gray industrial zone and a company town. Studies show that school children, at schools situated next to refineries, suffered between 30-40% more respiratory problems. Will ADEQ be monitoring those results? The elderly and those suffering from respiratory diseases are in Yuma County because they breathe easier here. The proposed refinery will emit deadly toxins that will cause severe illness and possibly death to those exposed. Medical costs will rise. Will ADEQ be a part of monitoring their health and the costs of rising healthcare because of this? The abundant vegetable crops grown in the valley surrounding the proposed refinery site will be greatly affected by the contaminants that will be spewing from the towers. Will ADEQ make the connection and monitor this?

Between 40-50% of the nation's roughly 160 oil refineries are violating the Clean Air Act. The EPA has no way to address all of these problems now. They are coming to the attention long after the damage has been done for years. What will be different in Yuma County?

There have already been fires at 10 refineries this year. The land proposed for rezoning is adjacent to Interstate 8, the Union Pacific Railroad passes through it. If a big problem arises at the refinery an interstate highway and a transcontinental railroad will be shut down. There will also be the pipeline that the one lady mentioned that is going to be built along the Barry Goldwater Bombing Range to the refinery, and it will bring the crude oil. If an explosion or a spill occurs, what will ADEQ do in that respect as far as beyond monitoring? How do we do a clean up? How do we shut something down that this gentleman mentioned was a billion dollar company that is already up and running? How do you stop that?

Another concern I have is the FBI issued an advisory to petrochemical industries this March, warning refineries that they could be significant targets for terrorist attacks. Do we want to invite terrorists into Yuma County, and what happens if there is a terrorist attack and there is an

explosion, how is that taken care of by ADEQ. I would ask that ADEQ would disapprove this permit. Thank you.

Jack Ferrill: My name is Jack Ferrill. I am a homeowner in the Yuma foothills area. And I want to speak to some environmental issues that surround the proposed oil refinery. I want to try to put it in a broader context.

First of all I would argue that air pollution issues are public health issues. The reason that the pollutants are identified in the Clean Air Act is because there is evidence that they have health affect. So we're not talking about aesthetic issues here.

Secondly, I think there's some concerns if we look at why was this sight chosen here in Yuma County? Originally the plant was scheduled to be built in Maricopa County. It seems pretty clear that one of the main reasons it was moved is due to air quality, that is, public health effects. They would not have been able to expand the plant in Maricopa County. I don't think the permit adequately addresses the issue of expansion of the plant.

Thirdly, there's several major uncertainties surrounding this plant. First of all, on Mexico. That would be the source of the oil, PEMEX. What would happen for example, if Mexico simply withheld approval for the pipeline? This happens very frequently in international oil pipelines. Just to give you an example. Russia has recently withheld approval of a long promised pipeline to China. It's very common. The supplier's in a powerful position. Also on Mexico, what if Mexico does not have the kind of export oil available 20 years from now, that it is projected to have over the next decade? President Bush's energy plan talks about Mexico as a reliable partner and a supplier over the next decade. What about the next three decades? According to a recent study, 25 years from now, Mexico may not have the oil to export. Why is that? Mexico is gonna produce, not just for export, but for domestic consumption in Mexico. Another uncertainty surrounding this entire project: the US military. According to a company spokesman on October 7, 2004, the US military had not, as of that date, given approval for this pipeline to cross the Goldwater Air force Range. That's a major uncertainty affecting this project. A third uncertainty is the issue of transportation accidents and the whole issue of security. I think that's very serious, whether it be rail traffic, whether it be truck traffic, both entering and exiting the refinery, both the finished products that are leaving as well as the crude oil arriving. I think there's significant transportation and security issues there.

Another major issue and kind of the social environment surrounding this project has to do with staffing and the levels of professional staffing required to build and operate this safely. I'm concerned about the company's level of staffing. It itself stated in a public meeting on October 7, 2004, that as of that day, it had one employee. I'm concerned about the levels of staffing available in terms of expertise. Secondly, and perhaps more to the point, I'm very concerned about the levels of staffing for the state of Arizona. This would be the first refinery built in the United States since 1976. It would be the first refinery ever built in the state of Arizona. The state of Arizona has no experience regulating an oil refinery.

And finally I guess I would just address the concern that this is more than just an oil refinery. This is a decision. This permit is a decision about the entire region, the international region and

the bioregion in this area. This decision is not simply about an oil refinery. This is a decision whether Arizona is going to become an oil refining state. It is a decision whether the southwestern United States is going to become an oil refining region. It is a decision whether the international region of northern Mexico and the southwestern United States is going to become an oil services region, and possibly in some sense a national sacrifice area for both nations. Thank you for your time.

Erin Horner: Since I was up here last, some interesting things have come to light. Mr. Rosevear said that we have such good technology, and it's grown over the years. And I think he used NASA as a basis here, that we should have basically more, we should believe more in this refinery, it's gotta be safer because we've had all these years to correct the situation. If indeed we have this modern technology, why isn't it being implemented? Why don't the other refineries put it into place? Why, because it is extremely costly, and quite frankly they don't have to. The EPA can't make them. They don't have to. It's just plain dollar and cents.

Another question that came up. Mr. Murphree, who is very enthused about building this particular project, Mr. Murphree, if he wants to build anything, can come to Yuma. We're one of the fastest growing communities in the United States. We've got all the building that he can possibly have to keep him busy. He doesn't need to build a refinery.

Then the question was asked also, why Yuma, why were we chosen, why were we picked? Well, we were chosen because we are very socio-economically poor in this area, and because we have minority rates of 50.5%. Refineries are historically built in socio-economically poor areas and in areas where the minority rate is extremely high. I think we need to hold our city and our county to high standards. The board of supervisors adopted a resolution in support of the Center for the Future of Arizona. And it's called "A Vision for Arizona". One section of that is under "A Quality of Life", and it states, and remember, they adopted this, "preserve and enhance all aspects of Arizona's physical and cultural environment by maintaining significant open space, improving air quality, enhancing arts and culture, and establishing recreational spaces throughout the state and especially within the built environment. Provide adequate infrastructure to support our growing population, including government education, accessible healthcare, communications, transportation, and sustainable water and energy. We must improve our quality of life as the state grows." I do not exactly see how a refinery is going to improve our air quality.

In the past, Yuma County and local city elected officials have protected our community against the influx of hazardous industries. Some of these exclusions include: a medical waste incinerator that was supposed to go in Somerton, the Somerton community didn't want it. They didn't have to have it. Fort Howard recycled paper plant. The city let that die because there was so much opposition to that. Gasoline and contaminated soil to be dumped on 95 between Yuma and Quartzite, even La Paz came down on that and said "uh-uh". They also denied a permit for a landfill near Blazedale. They need to deny this permit as well.

My husband and I have been sinking our retirement into this community. We have been excited about our home and we have sunk thousands of dollars into it to make it a perfect retirement place. We have great plans. I know we are not alone in this. I know there are many people out

here right now who are using Yuma to retire. How many people want to stay in an industrial wasteland? All of the things, if you read about Yuma County, whether you get on the internet, if you look in the books, the paper, whether you go to the Chamber of Commerce, the convention center, they all have these wonderful little statements about come to Yuma, you're going to enjoy our clean air, our weather, all these things. But they all, every one of them mentions the clean air. Look it up for yourselves please.

And I ask you to consider two other important issues. The first involves the water to run the refinery. Simply put, we don't have it. The entire state of Arizona competes for water from the Colorado River and it is at its lowest level in history. Mead Lake is at the lowest level at only 56-57% capacity, while Lake Powell sits at an eerie 37%, that 37%. This proposed refinery would use approximately 1.5 million gallons of water daily. It doesn't take much computation to realize that we simply do not have the water resources to sustain our cities and towns, our agriculture, and a refinery too.

The second item I ask you to consider is the historic value of the proposed area of the refinery. The refinery would sit almost directly over the site of the historic Butterfield Overland Stage Line. Tacna, where the refinery proposes to build, was established in 1856, as a stage stop called Antelope Hill. There were many towns and railway sitings established over the years in that area. The refinery would also cut into historic Interstate 80. For history buffs, and those enjoying old trails and ghost towns, which is something Arizona is known for, a great deal would be lost. In the long run, the negative net economic loss to Yuma County will be staggering. We will lose snowbirds, tourism, growth and development, and agriculture. The kinds of businesses that will knock at the door will not be for beautiful new malls or fine dining. There will be more refineries, plastic plants, fertilizer plants, and asphalt plants, all contributing to the pollution and noise level. All of which are already being mapped out as part of the industrial wasteland that will become Yuma County. If we allow the door to be opened to this refinery, it can never be closed, they won't shut it down. They can't. If Yumans can lobby so hard for an Olive Garden, certainly they can lobby to maintain clean air and a responsible, safe place to live. Thank you.

Tim Horner: Thank you. My wife touched on a few of the points that I wanted to touch on, so that's great. And I know that hour is getting late, so if you all would bear with me, and all. First of all I would like to make a couple of comments with Mr. Krieger and Mr. Rosevear and Murphree. Truly we do have greater technology today. We have phenomenal increase in technology. In ten years from now our technology's going to be obsolete, and we're going to see and feel the ramifications of where we were lacking in technology, 10, 15, or 20 years from now, just like we are seeing what the lacking in technology was from the refineries that were built from 1900 to the 1960s and 1970s. Yeah, you can't compare with the old refineries, just like you said, it was said that you can't compare it to the 1960s Buick automobile. I haven't seen one person, and we all did drive cars here I agree. I haven't seen one person strapped to the back of a 1960's automobile and forced to breathe the exhaust from that automobile 24 hours a day. It doesn't work. It's not a real valid argument, and the technology of cars has increased and improved over the years, yet the technology of the current refineries has not improved over the years, and we're still having to suffer from those ramifications of those technologies, just like we'll have to suffer from the ramifications of this technology 20 years from now. It's not going to be a pollution free industry. A reduction of 20%, let's get something, let's truly be the brave

state and if we're gonna have to get out there and do something courageous, we have wind power, we have solar power. Let's invest in industries that have clean sources of energy, that we can drive, maybe we won't have to drive our fuel burning cars anymore.

Now, as I'd stated before, let's do the math. And I don't want to be real dreary about this. I really want to keep it light. Mr. McGinnis, you have many accolades. You have done a phenomenal job in the work that you have done, you have worked with many companies, that's all listed out. You've been brilliant in everything that you've done it looks like. Working with, and I don't know if I'm pronouncing it right, Aux Sable Liquid Products, Orion Refining Corporation, TransAmerican Refining Corporation, Imperial Oil Limited, Exxon, you even have your own oil and gas consulting firm, Pegasus Quality Consulting. So you've done a phenomenal job, and it's great that a person can have those type of accolades behind him.

You made the statement that what we're going to see from this plant will be a small white plume coming from the cooling tower, and that's basically water. That means that all the contaminants that are coming out of that, that are contaminating the air are invisible. We're not going to see those. Hey, if they're not invisible, then you don't have to worry about it right. Yes, we do have to worry about it. It's not going to be in the white plume, that's just the water, everything else is the silent killers. It says however, that because of the dry desert area, it won't be very big and it will disappear quickly. You also stated that "I'm not sure the gas will be any cheaper because prices are basically set by competitive forces, not by the refineries", well that's true. It's set by distributors and the other companies. So what we're saying is that we're going to allow them to get a cheaper source of fuel and continue to charge us the prices for fuel and line their pockets a little bit and we're gonna still pay the same price. As of whenever I put this together, the average gallons in the most economical areas of the United States is about a \$1.88 a gallon. We were paying about \$2.05 a gallon here. If drive approximately, and even if we could get that down to \$1.88 a gallon from the refinery to be competitive with the most economical areas in the United States, if we drive about 15,000 miles a year, we get about, average of 15-20 miles per gallon, that's gonna be an average of about \$150 savings a year from what we're paying now. So the cost of a refinery is maybe, maybe at the best, \$150 a year.

The cost of treating most cancers and the diseases from emphysema, from asthma, respiratory treatment, and the numbers are there. This is the highest respiratory cases in the whole state of Arizona, now without the refinery, what's it gonna do with a refinery? If you have insurance, your out of pocket expenses are gonna be about five to ten thousand dollars a year, trust me. You don't have to trust me. I have been there and done that, so look into it yourself. If you don't have insurance, your out of pocket cost is gonna be about 100 or 200 thousand dollars a year. Now, \$150 a year savings or \$200,000 or \$100,000 a year out of your pocket because your ill, your sick, and now you have a disease. Once you have a disease your auto immune system is compromised and allows other things to go in things like MS, things like fibromyalgia, things like asthma, if you not asthmatic anyway.

I'm asking you to do the math. Most of us are very intelligent people here. I think it's something that you just can't make a decision without looking at the overall ramifications. Not just today, 10 years from now, 20 years from now, 30 years from now. We still want to be living in a free county. We still want to be living in a beautiful valley, in a beautiful land, in a beautiful

area part of the county. So I'm asking you to please to reconsider and don't approve this permit. Thank you.

Michal Graber: I've been sitting here listening to you talk about this. One subject that has never come up is the fact that we live in the desert. In this area we have less than 4" of rainfall a year. This is our 18th winter here in Arizona. One winter we only had ¾ of an inch of rain. And I think Jack Cunningham has real worries about those invisible air pollutants that are going to sit on his ground, and I'd like you really to deny this permit because those pollutants will be on the ground and it will just be there, they'll be roto-tilled or tilled into the soil and his crops will be damaged. It's very harmful. In other areas of the country where you have refineries, you have rainfall that is 12" or more, 40" or more. The state of Washington gets 48" of rain in Bellingham, and the pollutants, they're washed out to sea. They go away. We haven't, really haven't addressed the ecology of the area, and what's going to happen. South of Interstate 8 is the Mohawk Dunes Critical Area, and that's something to protect. That's all I have to say, I hope you deny the permit.

Paul Johnson: Good evening, my name is Paul Johnson. I've been a resident of Yuma County for close to 30 years, and I would like to speak in favor of and urge you in the most strongest terms to approve this application for this permit. And I take that position based upon the scientific evidence and information that has been made available to me. I've had an opportunity to read the executive summary for the ADEQ permit, several times. I was kind of astounded to see the extremely high level of monitoring that you are requiring for this refinery. I'm not an engineer, and therefore I'm not qualified to pass judgment on the technical terms on it. However, my brother has worked for the last 23 years as a process optimization engineer at the Shell Oil refinery outside of New Orleans. I sent him the executive summary and asked him for his opinion on it. He was so astounded by the extremely strict levels of regulation and monitoring that you're requiring, that he called me and asked me if it was a joke. He also circulated it amongst the other engineers that he works with, including the plant superintendent, and they were astounded that any government agency would be requiring such an extremely stringent, strict, monitoring regime, maintenance regime, and such an extremely low level of emissions from any petrochemical facility. He told me and if I read the executive summary correctly, that there isn't a chemical refinery in the United States that can meet the standards that Arizona Clean Fuels originally applied for. What is called for in the permit that is proposed is about 4 times as stringent as what Arizona Clean Fuels applied for. The consensus that, from what I've read in the executive summary and from what my brother told me, that he and his fellow engineers at the Shell Refinery, were of the conclusion that there is no petrochemical facility, refinery or chemical plant anywhere in the United States that can come anywhere close to meeting the proposed stringent, very, very low levels of pollution that is proposed for this facility.

As a practical matter, nobody wants dirty air. And if you take a look at the, for instance, the monitoring that's required on this, all refineries are required to have a monitoring program where they go around and test the flanges and the valves, and things like that for the amount of emissions. The requirements that are being proposed in this permit are far, far more stringent than any other refinery in the United States has to meet as to frequency of checks and they have to meet a much lower, well, the level of emissions from things like flanges and valves is far, far

lower than would trip a corrective action by the EPA at any other existing refinery or petrochemical plant anywhere in the United States.

Now, this community, 40% of this community's economy is based upon agriculture. We don't plow our fields with horses. That went away along time ago. We plow our fields and we harvest our crops with diesel powered tractors and other implements. The fuel that will be produced by this refinery will be far cleaner than the fuel that is produced by most existing refineries anywhere in the United States. It will be essentially sulfur free. Mind it, if I read it correctly, it will be sulfur free. That's unheard of. That kind of standard is simply unheard of, and that alone, in and of itself, will have a significant improvement in the air quality and the health benefits for the people in this community.

They toss around some big numbers in the permit application, and they say total emissions of around 1000 tons per year. Well that needs to be put in perspective. During the winter we are the lettuce capital of the North American Continent. 85 to 90% of the lettuce that people eat anywhere in the United States and Canada is grown and processed in Yuma County. That means we have three to four to five hundred diesel truck loads of lettuce going out of this community, every day, seven days a week during the lettuce season, which goes on from about the 15th of November to close to the 1st of April. The pollution levels, the maximum pollution levels that would be permitted at this refinery are only the equivalent of 35 diesel trucks a day. We have three to four hundred diesel trucks a day going out of here loaded with lettuce everyday of the week during the lettuce season.

We also have a large military installation here where they burn a lot of jet fuel. It's my understanding that this refinery will be supplying, will be a source of supply, to the military here. That will be advantageous to the military, but it also means that any aircraft that's refueled at Marine Corp Air Station Yuma or the Yuma Proving Grounds, or any other aircraft facility in the area, will be burning far cleaner fuel and emitting far less emissions than is currently being emitted by the aircraft that are operating in this area. The bottom line is, from my reading of the executive summary of the permit application, and from the information and evaluation that I received from my brother, and his fellow refinery engineers, is this, the construction of this refinery will result in a net reduction in pollution. That the people in this community and the other areas that burn this fuel from this refinery, it will result in an enormous reduction in the amount of pollution that they'll be exposed too. Yes, we may have 1000 tons of emissions from the plant, but we will reduce the emissions from the vehicles, the freight trains, the aircraft, that burn the fuel, probably by twenty or thirty thousand tons per year. And I strongly urge that you approve this permit. Thank you.

Roy Harrison: Thank you. My name is Roy Harrison. I have submitted a written comment to Trevor, and I asked to be last so that if anything was left out and not covered, I could sit here because I had 20 years of experience of oil and gas inspector for the Department of the Interior. I've inspected refineries, (indistinguishable) plants, pipelines and everything that has to do with oil and gas. Plus I worked 9 years offshore in Louisiana for Chevron.

With that in mind I want to mention pipelines, the international pipeline that's coming in from Mexico into the plant. There is one pollutant that has not been covered, either with ADEQ or

ACF. And that is called WMD. WMD comes in, could come in chemical, biological. We're all familiar with the letters that has been sent to the post office. I know for a fact that you can send anything into this pipeline from one end to the other. I've done that, I've sent messages that I won't get into what they said. You can input from one end, the size of the pipeline, occasionally you have to run a scraper or, to keep the pipeline clear. The scraper is the size of the pipeline. Anything the size of that scraper can be input ahead of the pipeline or any valve that has a gauge in it, can be closed, and anything can be pumped into it, to include: chemical, biological, anthrax, we know what it is because it was in the post office. BACT, best available control technology, has not covered this, nor is it in the permitting process or in anywhere that I've seen, and I thought I might have to mention it. It is in my comments and letters. Thank you.